



UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANTWON MAURICE BAYARD,
Petitioner,
vs.
STATE OF NEVADA, *et al.*,
Respondents.

3:09-cv-0352-BES-VPC

ORDER

This action was initiated by the filing of an application to proceed *in forma pauperis* by a Nevada state prisoner. (Docket #1). However, the application is not accompanied by an operative pleading, such a habeas petition or a complaint. As such, this action must be dismissed. If petitioner wishes to file an action in this Court, he may do so by filing an appropriate operative pleading in a new action.

IT THEREFORE IS ORDERED that this action is **DISMISSED** without prejudice to the filing of a new action under a new case number. The Clerk of the Court shall enter judgment accordingly.

IT FURTHER IS ORDERED that the Clerk of the Court shall send petitioner two copies of a blank 28 U.S.C. § 2254 habeas petition form, and one copy of instructions for the same, as well as two copies of a blank prisoner civil rights complaint under 42 U.S.C. § 1983, and one copy of instructions for the same.

DATED this 10th day of August, 2009.


UNITED STATES DISTRICT JUDGE